



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

Enrollment Contract Amendment Instructions for the Open Enrollment Period for Fiscal Year 2015 Attendant Compensation Rate Enhancement (July 1, 2014 to July 31, 2014)

In response to direction from the 76th Texas Legislature, the Health and Human Services Commission (HHSC) Rate Analysis adopted rules at Title 1, Texas Administrative Code (TAC) §355.112 to establish procedures for community care providers contracted to the Texas Department of Aging and Disability Services (DADS) to obtain additional funds for increased attendant wages, benefits/insurance, and mileage reimbursement. As per these rules, community care providers who choose to participate in the attendant compensation rate enhancement and receive additional funds must demonstrate compliance with enhanced spending requirements. For providers who choose not to participate in the enhancement program, the attendant compensation rate component will remain constant over time, except for adjustments necessitated by increases in the federal minimum wage.

GENERAL ENROLLMENT INSTRUCTIONS

All providers contracted to DADS for eligible services received an Enrollment Notification letter or an Enrollment Limitation letter. Both letters are available on this website listed below for your reference:

<http://www.hhsc.state.tx.us/rad/long-term-svcs/>

This website is an important tool during Open Enrollment. All forms, worksheets and instructions are accessed from the website by clicking on your program from the website above under the "Services" heading. Next, scroll to the heading "Rate Enhancement – Attendant Compensation." Click on the link "View 2015 Rate Enhancement – Attendant Compensation information." All instructions below regarding the location of specific materials for Open Enrollment begin with the assumption that you are on this page for your program (hereafter referred to as "Rate Enhancement webpage for your program").

- The deadline for all materials to request changes in enrollment status are due to be received by HHSC Rate Analysis **by July 31, 2014 at 5:00 p.m.** Mail and courier addresses are listed on each form. Faxes or e-mails will not be accepted.
- **In response to a legislative increase in funds; the highest enhancement level that any contract may request is Level 35.**
- Levels are awarded within available funds, and it is possible that a provider will not be awarded the level it requests due to limited funding for the enhancement program.

According to 1 TAC §355.112(u), no provider will be enrolled in the attendant compensation rate enhancement at a level higher than it achieved on its most recently available, audited report functioning as an Attendant Compensation Report (2012 report). As a result, all providers fall into one of two categories during Open Enrollment based on whether they received an Enrollment Limitation letter: Category 1 (Providers who received a limitation letter) or Category 2 (Providers who did not receive a limitation letter). Category 2 providers received an Open Enrollment Notification letter.

ENROLLMENT CATEGORIES

Category 1: Providers that received an “Enrollment Limitation” letter. These providers are limited during this Open Enrollment to requesting no higher than the level they achieved on their 2012 report. The letter and a list of providers receiving this letter is available on the Rate Enhancement webpage for your program by locating and opening the “Contracts Receiving 2015 Enrollment Limitation Letter” element. If the 2012 report does not represent its current attendant compensation levels, a provider may request a revision of its enrollment limitation. Details on submitting a Request for Revision (RFR) are included in the Limitation Letter and the RFR instructions on the Rate Enhancement webpage for your program.

Category 2: All other providers. Providers who did not receive a limitation letter were sent an Open Enrollment Notification letter and do not appear on the limitation list discussed above. These providers may submit an Enrollment Contract Amendment (ECA) to request to participate or to increase their level of participation in the Attendant Compensation Rate Enhancement. Both the Open Enrollment Notification letter and the ECA are provided on the Rate Enhancement webpage for your program.

ENROLLMENT LIMITATIONS FOR PROVIDERS IN CATEGORY 1

Providers in Category 1 are subject to the following enrollment limitations.

1. These providers will not be enrolled in the attendant compensation rate enhancement at a level higher than the level they achieved on their fiscal year 2012 report.
2. The only exception to this limitation is for providers that submit an acceptable Request for Revision Report (RFR) that shows they are currently spending above the level indicated by their fiscal year 2012 report.

WHO SUBMITS WHAT

1. Only providers in Category 1 may submit a RFR.
2. Only providers in Category 2 and providers in Category 1 – Enrollment Limitation Group 3 (see limitation list) may submit an ECA. These providers should submit an ECA if they wish to change their level from their current level of enrollment. Providers in Category 2 and Category 1 – Enrollment Limitation Group 3 that do not submit an acceptable ECA will remain at their current level of enrollment for fiscal year 2015. **Category 1 providers can find enrollment Limitation Groups on the Rate Enhancement webpage for your program by clicking on the “Contracts Receiving 2015 Enrollment Limitation Letter” element.**

REMINDER: CHANGES FROM PREVIOUS ENROLLMENTS

- Current participants may be familiar with the option during previous Open Enrollments to designate commonly-owned participating contracts as a group on the ECA for the purpose of determining compliance with spending requirement. Effective April 1, 2012, HHSC revised 1 TAC §355.112(f) and (ee) to specify that grouping or aggregation of contracts may be requested at the submission of the report rather than on the ECA. The result is that participants may choose to aggregate multiple reports for participating contracts after the reporting period rather than before the reporting period. Instructions regarding aggregation will be provided with the instructions for those future reports.
- Participants contracted for Community Living Assistance and Support Services (CLASS) will be held accountable for spending requirements for Employment Assistance and Supported Employment attendant units at their same level as awarded for Day Habilitation services. When completing Enrollment Worksheets, providers should include these attendant costs and units of service in estimating what level they would like to request to be effective September 1, 2014. This change does not affect the manner of completing the RFR, which is based on policies effective prior to September 1, 2014.
- Participants contracted for Deaf-Blind with Multiple Disabilities (DBMD) services will be held accountable for spending requirements for Supported Employment and Employment Assistance attendant units at their same level as awarded for Day Habilitation and other services within this program that are already eligible for rate enhancement. When completing Enrollment Worksheets, providers should include these attendant costs and units of service in estimating what level they would like to request to be effective September 1, 2014. This change does not affect the manner of completing the RFR, which is based on policies effective prior to September 1, 2014.

ENROLLMENT WORKSHEETS AND INSTRUCTIONS

Enrollment Worksheets and Instructions to help you determine the appropriate level of enrollment for your contract are available on our Rate Enhancement webpage for your program. Locate and open the “Enrollment Worksheets” and “Enrollment Worksheets Instructions” elements. If you have difficulty in accessing the information on the website, please contact the Rate Analyst assigned to your program according to contact information at the end of this letter.

TRAINING

In order to assist you in understanding the requirements of the Attendant Compensation Rate Enhancement, a training webinar has been scheduled for July 17, 2014 from 11:00 – 12:30 p.m. The webinar will be recorded and posted on our website. The training will be approximately one and one-half hour long and will cover the following:

- Proper completion of the Enrollment Worksheets;
- Proper completion of the Enrollment Contract Amendment;
- Enrollment Limitations; and
- “Roll-over” enrollment.

Registration is required to participate in the webinar; no classroom-based training will be held. Training opportunities are optional for enrollment; however, participation in the webinar is

highly recommended. Detailed information is available on our Rate Enhancement webpage for your program.

Once you enter the website, scroll down to the heading “Training Information” and click on “View Rate Enhancement Enrollment Training Information”. Under this heading you will be able to:

- View the Training Materials;
- View the Training Schedule;
- View the Training Webinar Presentation; and
- Register for the Enrollment Webinar Training.

ENROLLMENT CONTRACT AMENDMENT (ECA)

The open enrollment for payment rates effective September 1, 2014 begins **July 1, 2014 and ends July 31, 2014**. To enroll, contracted providers must properly complete the ECA online, printed out and signed by the authorized signatory that completed the form. The signed copy can be scanned and emailed to acres@hhsc.state.tx.us or mailed via certified, overnight or regular mail to HHSC Rate Analysis Department. **Any provider whose properly completed ECA is not received by HHSC Rate Analysis by 5:00 p.m. on July 31, 2014 will continue at the Level of Participation in effect during the open enrollment period, within available funds (unless the provider was subject to an Enrollment Limitation as described above). This continued enrollment provision is called “roll-over” enrollment.** If you are unsure of your current Level of Participation, you may look it up on our website.

A properly completed ECA must:

1. Have a checkmark in either the “yes, this facility chooses to enroll” or the “No, this facility chooses not to enroll” box;
2. Be signed by a person authorized on DADS signature authority designation form (form 2031) as a signatory for this contract. If you do not know who your authorized signatories are, call your DADS contract manager;
3. Verify the fiscal year end for the entity. If incorrect, call (512) 730-7404 to have the information verified and corrected;
4. Reflect the correct 9-digit contract number and 4-digit provider number.

In addition, providers checking the “Yes” box must indicate their chosen **Level number** between 1 and 35 in the “Level” box. Please note that Level 0 is not an option.

HHSC Rate Analysis must receive ECA forms no later than 5:00 p.m. on July 31, 2014.

Enrollment forms that are not received by this deadline will not be accepted. If your enrollment forms are sent by regular mail, be sure to allow a sufficient number of days for the postal service to deliver the forms. To ensure that the enrollment forms are received by RAD in a timely manner, providers may want to send their enrollment forms via certified mail or overnight delivery. **Faxes will not be accepted.**

If you have questions concerning the ECA or Open Enrollment, you may contact the Rate Analyst for your program:

Program	Rate Analyst	Phone Number	E-mail
CBA CLASS	Sascha Duban	(512) 707-6077	sascha.duban@hhsc.state.tx.us
PHC DBMD	Maria Ebenhoeh	(512) 707-6062	maria.ebenhoeh@hhsc.state.tx.us
DAHS RC	Luis Morales	(512) 707-6084	luis.morales@hhsc.state.tx.us

If you have questions regarding the tracking/receipt of your ECA, you may contact Pat Whitaker at pat.whitaker@hhsc.state.tx.us or (512) 707-6094.

AWARDED LEVELS

By September 16, 2014, HHSC Rate Analysis will post a list of contracted providers on its Attendant Compensation Rate Enhancement website for all Community Care programs and their enrollment status (i.e., participant and associated level or nonparticipant) to be effective September 1, 2014. This “Participation Status – Levels Awarded” list on the Rate Enhancement webpage for your program will be the only notification of enrollment status provided by HHSC.